

Report to Idaho Legislature: Inmates Released Beyond 150% of Parole Eligibility

IDAHO



Department of Correction & Commission of Pardons and Parole



Joint Report by the Idaho Department of Correction and Idaho Commission of Pardons and Parole
Revised April 24, 2015

Statutory Requirement

Idaho made significant changes to criminal justice statutes in 2014, adopting the Idaho Justice Reinvestment Initiative (SB 1357). This initiative seeks to strengthen supervision, focus prison space on the most violent or greatest risk prisoners, and adds new reporting requirements to measure results. Idaho Code 20-223, Section 11, requires the Department of Correction and Idaho Commission of Pardons and Parole to submit an annual report by February 1 of each year, focused on parole release data specific to inmates serving time for property or drug crimes.

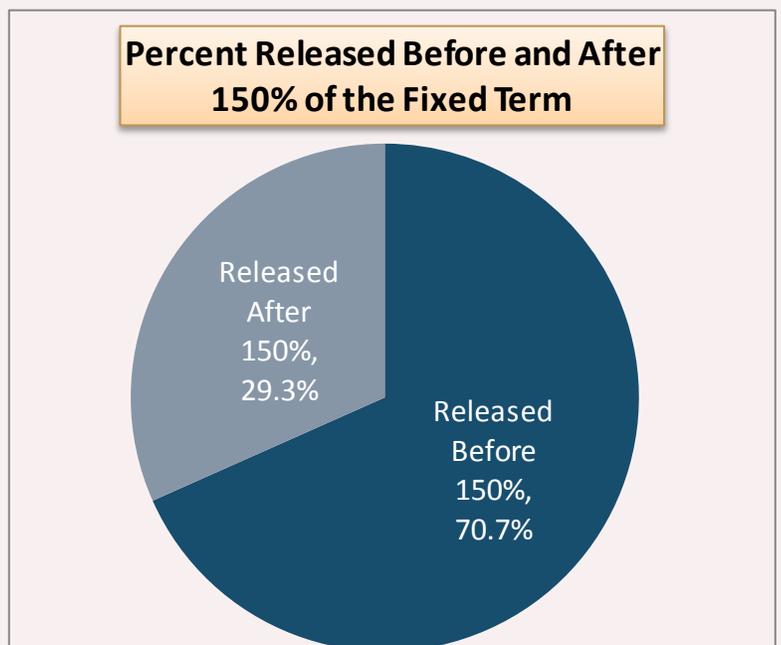
The statute states the report shall do the following:

- Describe the percentage of people sentenced to a term in prison for a property or drug offense conviction who are released before serving one hundred fifty percent (150%) of the fixed portion of the sentence.
- Document the most common reason for people whose release was beyond 150%.

Idaho Department of Correction (IDOC) retrieved information on all offenders serving sentences for drug or property crimes and released with a first parole release between July 1, 2014 and December 31, 2014. After receiving the list of first time parole released offenders from IDOC, the Parole Commission (PC) located hearing files for those released after 150% of parole eligibility to determine the most common reasons for delay or denial.

Findings

- 70.7% (N=335) of property and drug offenders released to parole between July 1, 2014 and December 31, 2014 were released prior to 150% of the fixed portion of their term.
- 29.3% (N=139) of property and drug crime offenders were released after 150% of their fixed term.



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Reasons for Release Beyond 150%

Nearly one-third (31.7%) of offenders were held beyond 150% of the fixed portion of their sentence because after receiving credit for time served they were either parole eligible upon their arrival (21.6%), were eligible within six months of arrival (9.4%), or were eligible upon six months of sentence (0.7%).

Nearly one-third of offenders (32.4%) were kept past 150% of the fixed portion of their sentence because of a failure within programming (19.4%) or because of institutional behavior/Disciplinary Offense Report (DOR) (13.0%). These offenders received between 32 to 90 write-ups for corrective actions. In addition, a few offenders were granted a tentative parole date that would have allowed them release closer to the fixed term, but a subsequent disciplinary action voided eligibility for release.

A portion of releases past 150% (10.8%) were related to the entry into or completion of the programming required before release. Sometimes, entry into treatment did not begin because the offender's reading scores were too low. For a few offenders, the pathway needed to be changed after starting programming, such as switching to mental health programming.

Approximately 8.6% were previously denied parole for a variety of reasons. Denial of parole was often related to the risk of re-offense, prior criminal history, the offender had committed a felony while on supervision previously (poor field supervision history), or multiple corrective actions or DORs.

Future Developments

The Idaho Department of Correction and the Idaho Commission on Pardons and Parole submit this report as a new requirement of the recently enacted Justice Reinvestment Legislation. Every year by February 1, both agencies will provide a joint report to the legislature and governor's office regarding the proportion of inmates who are eligible for parole and are released within 150% of the fixed portion of their sentence, and reasons for delay or denial for those who go beyond.

This first 150% report on the reasons for delay and denial has promoted new business practices and on-going examination of policies and IDAPA rules within both the IDOC and PC. Both agencies are working towards a streamlined, automated process that will enable standardized data collection at the time of parole hearings instead of retroactively. Once the automated system is in place, parole hearing officers will be able to list up to three different types of actions involved with non-timely release of parolees. This will enable a more in-depth look the timing of release for all offenders and the reasons that impact that timing.

Reason For Release Past 150%	N	%
Credit for Time Served- Parole eligible upon arrival, within 6 months of arrival, or within 6 months of sentence	44	31.7
Program Failure	27	19.4
Institutional Behavior/DOR	18	13.0
Primary Pathway Entry	15	10.8
Granted TPD	14	10.1
Previously Denied Parole	12	8.6
Other	9	6.5
Total	139	100

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